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UNCLAS SECTION 01 OF 02 GEORGETOWN 000812

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SUBJECT: PRESIDENT PARDONS TREASON ACCUSED MARK BENSCOP

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¶1. (U) SUMMARY: President Jagdeo pardoned Mark Benschop, the treason accused detainee who has been imprisoned since 2002 for alleged involvement in storming the Office of the President. Benschop, whose first trial resulted in a hung jury in 2004, reluctantly accepted the pardon, but vowed to continue leading protests against the PPP. Benschop's release comes at a time when many prominent politicians felt that prolonging his detention only served to make him a bigger martyr, and, as such, a potentially valuable political weapon to be used against the GOG in the future. END SUMMARY.

JAILED FOR TREASON SINCE 2002

¶2. (U) Benschop was jailed in 2002 after he was charged jointly with PNC Member of Parliament Phillip Bynoe with the capital offense of treason for alleged involvement in the July 3, 2002 storming of the Office of the President. According to the charges, Benschop and Bynoe were the leaders of the mob of protestors who invaded the Presidential Complex on that date -- during the ensuing standoff, two protestors were killed. Benschop has professed his innocence, stating that he attended the rally as a journalist, not as an instigator. His first trial for treason ended in a deadlocked jury (11 innocent, 1 guilty) in 2004. Despite their failure to convict him at the first trial, the GOG has kept Benschop imprisoned since 2004 awaiting a retrial on the same charges.

PARDONED BY THE PRESIDENT

¶3. (U) On August 27th, President Jagdeo used his presidential powers to pardon Benschop for his role in the 2002 storming of the Office of the President, stating that Benschop has learned his lesson while in jail and that he should recognize what he did was wrong. Speaking at a news conference, Jagdeo said "Benschop has learnt his lesson that you do not seek to overthrow a democratically elected government without facing the consequences." According to Roger Luncheon, the Head of the Presidential Secretariat, Jagdeo's pardoning of the prisoner "was motivated by a request by Mr. Benschop" and that the President "granted a free pardon in the spirit of magnanimity."

PARDON RELUCTANTLY ACCEPTED, BUT FIGHT CONTINUES

¶4. (U) Although Benschop accepted the pardon, he said that he did so only because of his family and his supporters. Moments after being released, Benschop vowed to continue the fight

against oppression, hinting at contesting the next local government polls. Benschop also said that while he commended Jagdeo for granting him a reprieve, he wanted him to extend the same mercy to hundreds of others who are locked away on petty charges in prison. He also said that he sees that President's pardon as an apology to him, one that he has accepted.

THE MAKING OF A MARTYR

¶15. (SBU) Last week, the topic of Mark Benschop's continued detention came up in a meeting between Poloff and Tony Viera, a Member of Parliament and owner of a prominent television station. Viera said that the longer the GOG kept Benschop in prison awaiting re-trial, the more he became a martyr to the Afro-Guyanese community in Guyana. According to Viera, if the GOG did not release Benschop in the near future, he would become a powerful political weapon used against them in the next elections. Although he did not provide any other names, Viera said that many other members of the opposition People's National Congress Reform (PNCR) had also discussed how they could use Benschop as a political weapon against the ruling People's Progressive Party (PPP).

COMMENT

¶16. (SBU) The timing of Jagdeo's pardon of Benschop is very interesting. Post's 2006 Human Rights Report included Benschop's continued imprisonment without trial under the "political prisoners and detainees" section. Two weeks ago, Poloff sent out requests to numerous GOG officials asking for information that will be used for the 2007 Human Rights Report. In addition, Benschop supporters had just succeeded

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in gaining the interest of the New York City press because of a tenuous link between Giuliani and Benschop, who briefly served as a minor press aide in the Giuliani administration. Jagdeo's pardon may have been an attempt to avoid an uncomfortable spotlight.

THOMAS